



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 7311 OF 2025

SHARNAPPA SATWAJI KHARTE

VERSUS

THE JOINT CHARITY COMMISSIONER LATUR AND OTHERS

...

Mr. Avinash M. Reddy, Advocate for the Petitioner.

Mr. P. D. Patil, AGP for Respondents-State.

...

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 24th JUNE, 2025.

P.C.:-

1. The petitioner impugns order dated 21.08.2024 passed by Principal District Judge at Latur in Civil M.A. No.62/2016, thereby upholding order dated 12.01.2016 passed by respondent no.1-Joint Charity Commissioner at Aurangabad in Revision Application No.41/2009.

2. The petitioner filed Revision under Section 70(A) of the Bombay Public Trust Act before Joint Charity Commissioner at Latur assailing order dated 31.07.1990 passed by Assistant Charity Commissioner, Latur in Change Report No.198/1990. Pertinently, Revision Application was filed after 19 years of order accepting Change Report. The learned Joint Charity Commissioner observed that petitioner had filed application against respondents under Section 41-D of Bombay Public Trust Act and also filed another Change Report for next tenure. As such, they were aware of order

dated 31.07.1990 regarding acceptance of Change Report. It is further observed that, when disputes started between petitioner and respondents in the year 2009, present Revision Application has been filed assailing order passed in the year 1990. Accordingly, it is held that Revision Application is filed by petitioner beyond reasonable period cannot be entertained.

3. The order of Joint Charity Commissioner refusing to entertain Revision under Section 70(A) was assailed before learned District Judge in Civil M.A. No.62/2016. The learned District Judge also concurred with observations of Joint Charity Commissioner and found that reasons adopted for explanation of 19 years, delay in filing Revision Application cannot be countenanced and Revision Application is rightly rejected on point of delay and laches.

4. This Court in case of *Subir Kumar Banerjee and Ors. Vs. Neetu Singh and Ors.*¹ observed that although limitation is not provided for filing Revision Application under Section 70(A) of Bombay Public Trust Act, it cannot be entertained if filed beyond reasonable period. It is trite that, reasonable period is now settled as three years and any Revision Application filed thereafter without explanation for delay cannot be entertained.

¹ 2019 0 Supreme (Bom) 2304.

5. In that view of the matter, there is no ground for entertaining present Writ Petition. Hence, Writ Petition stands dismissed.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/June-2025